REQUEST FOR COUNCIL ACTION

MEETING

241-

AGENDA SECTION:	ORIGINATING DEPT:	ITEM NO.
PUBLIC HEARINGS	PLANNING	E-9
ITEM DESCRIPTION: General Development Plan #213 by Americana Realty to be known as Americana Realty. The applicant is proposing to develop approximately 9.5 acres of land with single family attached dwellings. The property is located along the west side of Bamber Valley Road SW, north of Mayowood Lane SW and south of the Zumbro River. A Zoning District Amendment is being considered concurrent with this application.		PREPARED BY: Brent Svenby, Planner

August 11, 2003

NOTE: See CPEC minutes from previous zone change public hehring.

Note: Revised comments from the Fire Department no longer require a turn around at the end of the private roadway so the last recommended condition should be removed.

City Planning and Zoning Commission Recommendation:

On July 23, 2003 the City Planning and Zoning Commission reviewed this General Development Plan.

Kristi Clarke of McGhie & Betts addressed the Commission. She reviewed the proposal and stated that applicant spoken with the Fire Department prior to submitting the application with regard to the turn around bulb and had received verbal approval.

The Commission reviewed this proposal according to the criteria listed in Paragraph 61.215 of the Zoning Ordinance and Land Development Manual.

Mr. Quinn made a motion to recommend approval of General Development Plan #213 to be known as Americana Realty based on staff-recommended findings and conditions, including condition number 9, with the thought that since the issue was brought up recently there would be further discussion. Mr. Haeussinger seconded the motion. The motion carried 7-0.

Conditions:

- 1. The proposed location of the private sewer lift station and force main must be shown on the GDP prior to the City Council review.
- 2. Confirm the location of the 8' bike trail and correct the site plan if necessary.
- 3. Submit a cross property easement agreement to allow the adjacent landowner to the south access between the existing driveway and Bamber Valley Road.
- 4. Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to flood elevation limitations to development, stormwater management, traffic improvements, pedestrian facilities, access control, extension of utilities for adjacent properties, maintenance and ownership of the proposed private lift station, and contributions for public infrastructure.
- 5. At the time of platting, controlled access shall be dedicated along the entire frontage of Bamber Valley Road.
- 6. Storm water management must be provided for in this development. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan for any areas of the development that do not drain to a privately constructed permanent detention facility built to serve the development.
- 7. Parkland dedication requirements for this development shall be met via cash in lieu of land.
- 8. The applicant shall investigate the possibility of wetlands on the property and submit the required information to the local government unit for review prior to grading or other development occurring on the property.
- The GDP shall be revised to provide a turnaround at the northerly end of the private roadway that meets the fire department standards.

department standard	151			
COUNCIL ACTION:	Motion by:	Second by:	to:	

Page 2 RCA August 11, 2003

Planning Staff Recommendation:

See attached staff report dated July 11, 2003.

Council Action Needed:

- 1. The Council may approve, approve with conditions, or deny the general development plan. The Council must make findings based on the criteria listed in Paragraph 61.215.
- 2. If the Council wishes to proceed with the general development plan as proposed, it should instruct the City Attorney to prepare a resolution for Council approval.

Attachments:

- 1. Staff Report dated July 11, 2003
- 2. Minutes of the July 23, 2003 CPZC Meeting (attached to Zone Change)

Distribution:

- 1. City Administrator
- 2. City Attorney
- 3. Planning Department File
- 4. Applicant: This item will be considered some time after 7:00 p.m. on Monday, August 18, 2003 in the Council/Board Chambers in the Government Center at 151 4th Street SE.
- 5. McGhie & Betts, Inc.



DATE: July 18, 2003

August 11, 2003

TO:

Jennifer Garness, Planning

FROM: R. Vance Swisher, Rochester Fire Department

SUBJ:

Revised General Development Plan #213 by Americana Realty to be known as

Americana Realty. The applicant is proposing to develop approximately 9.5 acres of land

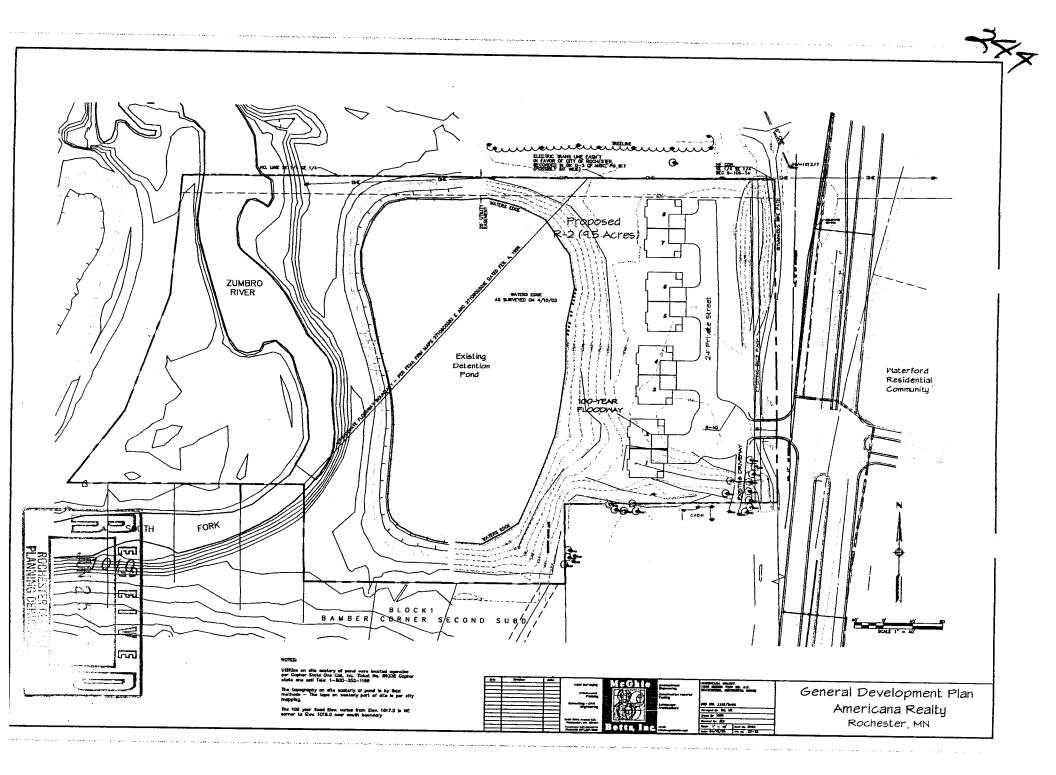
with single family attached dwellings.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.

- Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning
 Ordinance and Land Development Manual. Emergency vehicle access roadways shall be
 serviceable prior to and during building construction.
 - Dead ends in excess of 150 feet shall be provided with an approved area for turning around fire apparatus. See enclosed document for approved turnaround layouts.
- 3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
- 4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division Mark Baker, Rochester Public Works Americana Realty McGhie & Betts, Inc.



ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744



www.olmstedcounty.com/planning



TO:

City Planning and Zoning Commission

FROM: John Harford, Senior Planner

DATE:

July 11, 2003

RE:

General Development Plan #213 by Americana Realty to be known as Americana Realty. The applicant is proposing to develop approximately 9.5 acres of land with single family attached

dwellings. The property is located along the west side of Bamber Valley Road, SW north of Mayowood Lane, SW and south of the Zumbro River. A Zoning District Amendment is being considered

concurrent with this application.

Planning Department Review:

Petitioner/Property Owner:

Americana Realty

1530 Greenview Dr., SW Rochester, MN 55902

Consultant:

McGhie and Betts, Inc.

1648 3rd Ave., SE Rochester, MN 55904

Location of Property:

The property is located along the west side of Bamber Valley Road, SW, east and south of the Zumbro River, and north of Bamber Corner 2nd

subdivision.

Proposed Use:

The applicant intends to develop the site with 8

townhomes in the R-2 zoning district.

Land Use Plan:

The Rochester Urban Service Area Land Use Plan currently designates the property for "low density

residential" uses.

Zoning:

The property is currently zoned R-1 (Mixed Single Family) and Flood Prone District on the City of Rochester Zoning Map. The applicant has filed a zoning district amendment to change to zoning from the R-1district to the R-2 (Low Density Residential) zoning district and a Conditional Use Permit for filling in the Flood Prone District. The gross density is 1





Page 2 General Development Plan #191 July 16, 2003

unit/1.19 acres. However, applying the Site Capacity Analysis, required as part of the Site Development Plan Review, results in a density of approximately 3 units/net acre.

Access to the development is proposed directly to Bamber Valley Road through a single private street. Access has already been determined by the County Public Works Department based on the reconstruction of Bamber Valley Road. The access will be directly west of the entrance to the Waterford development and includes right and left turn lanes on Bamber Valley Road. The interior roadway is proposed as a 24' wide street. This access roadway will need to be platted and constructed to city street standards. The private street and access to Bamber Valley Road will be required to be elevated to no less than 2' below the Flood Protection Elevation. The private street will also serve as the driveway access for the existing dwelling located south of this property.

There is an existing bike path along the east side of the property, located within the limits of the property. The applicant proposes to relocate the bike path north of the private street access to Bamber Valley Road.

There is a pond on the property that existing due to past mining activities. No other storm water management facilities are identified on this GDP. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan for any areas of the development that do not drain to this permanent detention facility. Detailed grading and drainage plans will also be required when the property is developed.

The Floodway District boundary is located on the westerly portion of the property and not a part of site improvements. The rest of the property is in the Flood Prone District and will require a conditional use permit to allow fill and will require mitigation. The applicant will need to fill to the flood protection elevation for the dwellings and access. The flood protection elevation appears to be 1017.9' MSL.

Hydric soils have been identified on the property based on the Soil Survey. The applicant will need to identify if wetlands exist on the property prior to receiving an approved grading plan. The land was mined starting in 1990 with impacts including the creation of the pond and filling of the area between the pond and the Bamber Valley Road right-of-way. Therefore the applicant will need to determine the

Streets:

Sidewalks:

Drainage and Floodplain:

Wetlands:

Page 3 General Development Plan #191 July 16, 2003



areas not mined or filled and if wetlands still exist.

Public Utilities:

Services are available to serve this property. Specific routing of sanitary sewer and water lines will need to be reviewed further during the preliminary design stages. The sanitary sewer line is located within the property limits. The applicant proposes that the development be serviced by a homeowners association maintained lift station.

The property is within the Main Level Water System Area. RPU stated that water pressure will be in the mid 60's PSI. RPU will work with the applicant's engineers to determine the water system design.

Parkland Dedication:

The Park and Recreation Department recommends that parkland dedication requirements for the development be in the form of cash in lieu of land.

Referral Comments:

- 1. Rochester Public Works
- 2. RPU Water Division
- 3. RPU Operations Division
- 4. Park and Rec. Dept.
- 5. Planning Dept.- Addressing
- 6. Planning Dept. Wetlands
- 7. MnDOT

Report Attachments:

- 1. Copy of Proposed GDP
- 2. Referral Comments
- 3. Neighborhood Meeting Minutes and attendance
- 4. Summary by applicant

Analysis:

Criteria & Staff Suggested Findings:

Paragraph 61.215 of the Rochester Zoning Ordinance and Land Development Manual lists the Criteria for approval of a general development plan. The criteria and the staff suggested findings are as follows:

Criteria A.

The proposed land uses are generally in accord with the adopted Comprehensive Plan and zoning map, or that the means for reconciling any differences have been addressed. A GDP may be processed simultaneously with a rezoning or plan amendment request.

Land uses within the GDP would be consistent with the "low density residential" land use designation for the property on the Rochester Urban Service Area Land Use Plan. A Zoning District amendment is being considered concurrent with this GDP application.



Page 4 General Development Plan #191 July 16, 2003

Criteria B. The proposed development, including its lot sizes, density, accesses and circulation are compatible with the existing and/or permissible future use of adjacent property.

This GDP proposes a low density residential development which is consistent with the land use designation for the property. The plan proposes that a private street serve the development with one access to Bamber Valley Road. A public trail has already been built along Bamber Valley Road and would serve this development.

Criteria C. The mix of housing is consistent with adopted Land Use and Housing Plans.

The development density is consistent with the Low Density Residential land use designation of the Land Use Plan. The GDP promotes the development of mixed densities and housing styles. Additionally, the GDP is consistent with the Housing Plan and the standards for the physical and social environmental of residential neighborhoods.

Criteria D. The proposed plan makes provisions for planned capital improvements and streets reflected in the City of Rochester's current 6-Year Capital Improvement Program, adopted Thoroughfare Plan, the ROCOG Long-Range Transportation Plan, Official Maps, and any other public facilities plans adopted by the City. Street system improvements required to accommodate proposed land uses and projected background traffic are compatible with the existing uses and uses shown in the adopted Land Use Plan for the subject and adjacent properties.

Access to this property will be from Bamber Valley Road that was recently upgraded to improve service level.

- Criteria E. On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance.
 - Street system adequacy shall be based on the street system's ability to safely accommodate trips from existing and planned land uses on the existing and proposed street system without creating safety hazards, generating auto stacking that blocks driveways or intersections, or disrupting traffic flow on any street, as identified in the traffic impact report, if required by Section 61.523(C). Capacity from improvements in the first 3 years of the 6-year CIP shall be included in the assessment of adequacy.

Access to this property will be from Bamber Valley Road by a single access point. Bamber Valley Road was recently upgraded to improve service level. A right and left turn lanes were constructed as a part of the Bamber Valley Road improvements in 2002.

 Utilities are now available to directly serve the area of the proposed land use, or that the City of Rochester is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6-Year Capital Improvements Page 5 General Development Plan #191 July 16, 2003



Program, or that other arrangements (contractual, development agreement, performance bond, etc.) have been made to ensure that adequate utilities will be available concurrently with development. If needed utilities will not be available concurrent with the proposed development, the applicant for the development approval shall stipulate to a condition that no development will occur and no further development permit will be issued until concurrency has been evidenced.

Services are available to serve this property. Specific routing of sanitary sewer and water lines will be reviewed further during the Site Development Plan Review process.

 The adequacy of other public facilities shall be based on the level of service standards in Section 64.130 and the proposed phasing plan for development.

An 8' wide bituminous pedestrian path exists along the entire frontage of the property abutting Bamber Valley Road.

The existing pond appears to serve as the storm water management facilities. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan for any areas of the development that do not drain to a privately constructed permanent detention facility built to serve the development.

Criteria F. The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified.

The existing pond will serve as the storm water management facilities. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan for any areas of the development that do not drain to a privately constructed permanent detention facility built to serve the development.

Detailed grading and drainage plans will also be required prior to final plat submittal.

Criteria G. The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels.

The street layout and density appear to be generally consistent with the land use and zoning classifications if rezoned to the R-2 district. At the time of platting, controlled access will be required along the entire frontage of Bamber Valley Road.

Recommendation:



Page 6 General Development Plan #191 July 16, 2003

Based on the above criteria, staff would recommend that the following conditions should be imposed in order to assure compliance with the Rochester Zoning Ordinance and Land Development Manual:

- 1. The proposed location of the private sewer lift station and force main must be shown on the GDP prior to City Council review.
- 2. Confirm the location of the 8' bike trail and correct the site plan if necessary.
- 3. Submit a cross property easement agreement to allow the adjacent landowner to the south access between the existing driveway and Bamber Valley Road.
- 4. Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to flood elevation limitations to development, stormwater management, traffic improvements, pedestrian facilities, access control, extension of utilities for adjacent properties, maintenance and ownership of the proposed private lift station, and contributions for public infrastructure.
- 5. At the time of platting, controlled access shall be dedicated along the entire frontage of Bamber Valley Road.
- 6. Storm water management must be provided for in this development. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan for any areas of the development that do not drain to a privately constructed permanent detention facility built to serve the development.
- 7. Parkland dedication requirements for this development shall be met via cash in lieu of land.
- 8. The applicant shall investigate the possibility of wetlands on the property and submit the required information to the local government unit for review prior to grading or other development occurring on the property.

ROCHESTER



--- Minnesota

TO: Consolidated Planning Department 2122 Campus Drive SE Rochester, MN 55904

FROM: Mark E. Baker

DEPARTMENT OF PUBLIC WORKS 201 4th Street SE Room 108 Rochester, MN 55904-3740 507-287-7800 FAX - 507-281-6216

DATE: 7/11/03

The Department of Public Works has reviewed the application for <u>General Development Plan #213</u> for the proposed <u>Americana Realty</u> development. The following are Public Works comments on this request:

- Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter
 into a Development Agreement with the City that outlines the obligations of the applicant
 relating to, but not limited to, flood elevation limitations of development, stormwater
 management, transportation improvements, access control, pedestrian facilities, right-of-way
 dedication, access and extension of utilities for adjacent properties, maintenance & ownership
 of the proposed private lift station, and contributions for public infrastructure.
- 2. Grading & Drainage Plan approval is required prior to development.
- Dedication of controlled access will be required through the platting process for the entire frontage of Bamber Valley Rd SW (CSAH 8), with the exception of a single private road access.
- 4. Access from within this development is required for the exception parcel in the southeast corner, as indicated on the GDP Plan.
- 5. Design, ownership & maintenance of the proposed private sanitary sewer lift-station shall be addressed in the Development Agreement and approved by the City Engineer prior to final plat submittal. The proposed location of the private lift station and force main should be shown on the GDP.
- 6. The "existing path" location indicated on the plan does not appear to match the location on the 2002 aerial photography.

Charges/fees applicable to the development of this property will be addressed in the Development Agreement and will include (rates below are current through 7/31/03):

- ❖ Water Availability Charge @ \$1790.25 per developable acre
- Sewer Availability Charge (SAC) @ \$1790.25 per developable acre
- Watermain Connection Charge @ \$40.19 per foot of frontage along Bamber Valley Rd SW.
- Contribution for the pedestrian path along the frontage of the Property @ \$27.88 per foot of frontage
- Storm Water Management TBD, for any areas that are not served by a City approved on-site detention Storm Water detention facility.
- Street Signs as determined by the City Engineer.



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6 Mail Stop 060 2900 48th Street N.W.

Rochester, MN 55901-5848

Office Tel: 507-280-2913 Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

July 3, 2003

Jennifer Garness
Rochester Olmsted Planning Department
2122 Campus Drive SE – Suite 100
Rochester, MN 55904

Re:

General Development Plan #213 by Americana Realty to be known as Americana Reality. The property is located along the west side of Bamber Valley Road SW, north of Mayowood Lane SW and south of the Zumbro River.

Type III, Phase III Conditional Use Permit #03-42 by Americana Realty to allow for the placement of fill in the flood prone area. The property is located along the west side of Bamber Valley Road SW, north of Mayowood Lane SW and south of the Zumbro River.

Zoning District Amendment #03-14 by Americana Realty. The applicant is proposing to zone approximately 9.5 acres of land from the R-1 District to the R-2 zoning district. The property is located along the west side of Bamber Valley Road SW, north of Mayowood Lane SW and south of the Zumbro River.

Dear Ms. Garness:

Thank you for the opportunity to review the above proposals by Americana Realty. These proposals will have no significant impacts on Mn/DOT roadways and are acceptable with Mn/DOT. Questions may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

Dale E. Maul

Planning Director

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ROCHESTER PARK AND RECREATION DEPARTMENT

June 30, 2003

TO:

Jennifer Garness

Planning

RE:

American Realty GDP # 213

Parkland dedication for the development is estimated to be less than 1/4 acres.

Dedication should be in the form of cash in lieu of land.



July 2, 2003

Rochester-Olmsted CONSOLIDATED PLANNING DEPARTMENT 2122 Campus Drive SE Rochester, MN 55904-7996

REFERENCE: General Development Plan #213 by Americana Realty to be known as Americana Realty.

Dear Ms. Garness:

Our review of the referenced general development plan is complete and our comments follow:

- 1. This property is within the Main Level Water System Area, which is available along the entire east side of this property within the Bamber Valley Road right-of-way.
- 2. Static water pressures within this area will be in the mid 60's PSI.
- 3. A separate exterior water service into each unit is required.
- 4. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson

Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention
Gale Mount, Building & Safety
McGhie & Betts, Inc.
Americana Realty

n Richard





DATE:

July 2, 2003

TO:

Jennifer Garness, Planning Dept. Rochester-Olmsted Planning Dept.

FROM:

Michael J. Engle, Supv. of Distribution Design

Rochester Public Utilities

280-1579

SUBJECT:

General Development Plan #213 by Americana Realty to be known as

Americana Realty. The applicant is proposing to develop

approximately 9.5 acres of land with single family attached dwellings. The property is located along the west side of Bamber Valley Road SW, north of Mayowood Lane SW and south of the Zumbro River. A Zoning District Amendment is being considered concurrent with this

application.

RPU's Operations Division review of the above-referenced general development plan is complete and we have no objection.

Sincerely,

michael &

la



WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS

Application Number: Zoning District Amendment #03-14, GDP #213, CUP #03-42 - Americana Realty

	No hydric soils exist on the site based on the Soil Survey
\boxtimes	Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
	A wetland delineation has been carried out for the property and is on file with the Planning Department.
	A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department
	A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
	No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
	Other or Explanation:

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Americana Realty

General Development Plan June 2003

The Americana Realty General Development Plan is approximately 9.5 acres bounded by Bamber Corner Second Subdivision on the south, Zumbro River on the west, CSAH No. 8 (Bamber Valley Road and Waterford Townhomes on the east, and unplatted R-1 property to the north.

The following is a written summary of the General Development Plan (GDP) in accordance with Appendix B E-3.

a) Topographic or soils conditions which, in the estimation of the applicant, may create potential problems in street, drainage, public utilities or building design and construction, and how these problems will be investigated further or engineered to overcome the limitations.

The 9.5-acre Americana Realty parcel includes the Zumbro River and FEMA mapped Floodplain. Each of these features are mapped on the General Development Plan. The floodplain travels in a diagonal line from north to south through the existing detention pond on the site. The eight-townhome units proposed in this GDP are not within the floodway boundary. However, the townhomes are within the "Flood Prone" boundary as defined by the City of Rochester. A Conditional Use Permit is being filed concurrent with this application for an approval to re-grade approximately .5 to 1 acre of land within the Flood Prone boundary. There will be no loss of flood storage due to this development. (See attached C.U.P Letter and Grading Plan)

The soils in this area are within the Dickinson-Plainfield-Kalmarville association. These soils are dominated by sandy, silty or loamy mantle and in the underlying sandy material. The highest point in the site is at the elevation of 1022 located along the R.O. W. for Bamber Valley Road. The low point is located along the bottom of the detention pond or the Zumbro River. The site drains at from east to west into the pond.

b) Storm drainage problems, which in the estimation of the applicant, may result in costs that will exceed normal storm drainage costs.

The storm drainage does not appear to cause problems that will result in the increase of normal storm drainage costs.

A large existing storm pond is located just west of the townhomes in the center of the site. This pond will accommodate the proposed increase of storm water runoff from all the proposed development within this GDP.

McGhie Betts, Inc.



c) Identification of potential off-site drainage problems.

The property drains towards the existing detention pond and the Zumbro River. There should be no problems with off-site drainage created by this development.

d) Availability of utilities to serve the area under consideration.

City water will be stubbed out from CSAH No. 8 (Bamber Valley Rd.). A 12" watermain and one fire hydrant will serve the site. A private lift station that will be owned and maintained by the homeowners association will be constructed in the northeast corner of Bamber Corner Second Subdivision and will provide a sanitary sewer line for all the townhomes proposed on the GDP. These utilities will be able to provide adequate services for the entire General Development Plan area.

e) Identification of possible erosion problems, which may arise in the estimation of the applicant.

This General Development Plan proposes to development approximately 2 acres along the western edge of the site leaving a large detention pond and the Zumbro River in their natural state. Within the 2-acre western edge of the parcel some grading will occur to provide for four building pads and a 24' private driveway. This area will be fill to an adequate elevation above the 100-year floodway. Erosion control measures will be incorporated into the grading plan final design.

f) A general statement as to the possible phasing of any development activity to occur on the property under the control of the applicant.

All eight units will be developed within one phase.

